

November 16, 2004

John McBrearty
928 Delview Drive
Folcraft, PA 19032

**Re: McBrearty, et al. v. Delaware County Sheriffs Dep't, et al.
Civil Action No. 02-cv-4553**

Dear Mr. McBrearty:

This letter is in response to your letter to Judge Davis, received on November 5, 2004, regarding the hearing that took place on June 10, 2004 on your Motion for Extension of Time to File an Appeal and the responses thereto. At that hearing Judge Davis issued a ruling from the bench, resolving the matter. According to the hearing transcript, Judge Davis told you that while, if he had jurisdiction over the matter he would deny the petition with a specific finding that Plaintiffs received the disputed documents, the matter belongs before the Court of Appeals and Plaintiffs should pursue their remedies before that Court. (Hearing Transcript at 49:4-16). I hope this clarifies the matter.

Very truly yours,

S/CAROL SAMPSON

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